

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

|                             |   |                              |
|-----------------------------|---|------------------------------|
| UNITED STATES OF AMERICA,   | } |                              |
| <i>Plaintiff-Respondent</i> | } |                              |
|                             | } |                              |
| v.                          | } | CRIMINAL ACTION NO. H-86-309 |
|                             | } | CIVIL ACTION NO. H-05-623    |
| KYLE BRIAN ZWACK,           | } |                              |
| <i>Defendant-Petitioner</i> | } |                              |

**ORDER DISMISSING ACTION**

After careful and independent consideration of the record in this case, the Court  
**ORDERS** that Petitioner Kyle Brian Zwack's Motions to Vacate, Set Aside or Correct  
Sentence pursuant to 28 U.S.C. § 2255 are **DENIED** and his action is **DISMISSED WITH  
PREJUDICE**.

**SIGNED** at Houston, Texas, this 27th day of July, 2006.



---

MELINDA HARMON  
UNITED STATES DISTRICT JUDGE